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February 9, 2024

***Re: Gentile et al. v. Doyle, 21-cv-8528 (LTS) (OTW)***

Dear Judge Wang:

We write on behalf of all parties in the above-referenced action pursuant to Rule I(b) of Your Honor's Individual Rules & Practices in Civil Cases.

Following the Pre-Settlement Conference Call on December 7, 2023, and pursuant to the Court's Order on December 7, 2023 (ECF No. 79), the Parties met and conferred on January 17, 2024 to discuss potential settlement. The Parties filed a joint status letter on January 19, 2024 (ECF No. 81) indicating their intention to continue potential settlement discussions and to update the Court on or before February 9, 2024 of any progress made.

Since the Court stayed discovery in this case on October 5, 2023, the parties exchanged multiple settlement demands, appeared before the Court for separate Pre-Settlement Conference Calls, and met and conferred six times to discuss potential settlement. Given the current respective positions of the parties, we and counsel for Mr. Gentile and Mr. Crawford agree that settlement is unlikely to occur at this time. Accordingly, we respectfully request a status conference with the Court to consider a lift on the stay of discovery, set new deadlines for the completion of discovery, and address any other discovery matters as the Court may direct.

In addition, counsel for Mr. Gentile and Mr. Crawford would like to request another Pre-Settlement Conference to see if the parties' current differences regarding a potential settlement may be resolved through informal mediation with the Court. Mr. Doyle is likewise amenable to this request for ongoing settlement discussions as discovery proceeds and helps to clarify the parties' respective settlement positions.

Counsel are available to meet on the following dates and are happy to provide additional availability as requested: February 16, 2024, March 1, 2024 through March 20, 2024, and March 22, 2024 through April 5, 2024. The parties are mindful of the Court's time and are happy for both conferences to be held in conjunction with each other, or separately, at the Court's determination.

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As always, we thank the Court for its attention to this matter.

Respectfully,

/s/ Nathan Noh

Nathan Noh

Counsel for Mr. Kevin Doyle

The Honorable Ona T. Wang  
United States District Court for the Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
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VIA CM/ECF